

REMARKS

This Preliminary Amendment is submitted to accompany the Request for Continued Examination filed on October 27, 2008, in response to the Advisory Action dated October 14, 2008, in which the Examiner:

maintained the rejection of claim 5 under 35 U.S.C. §112, second paragraph, as indefinite;

maintained the rejection of claims 5 and 6 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,470,233 to Fruchterman et al. in view of U.S. Patent No. 6,636,802 to Nakano et al.; and

maintained the rejection of claims 11-13 under 35 U.S.C. § 103(a) as unpatentable over Fruchterman in view of Nakano and in further view of U.S. Patent No. 3,905,437 to Kaiho et al.

Applicants respectfully traverse the rejections below. Claims 5, 6 and 11-13 are currently pending. Amended claim 5 is the only independent claim.

Regarding the rejection of claim 5 under 35 U.S.C. §112, second paragraph, as indefinite, the Examiner asserts that the recitation “inputting physical disability information on and a destination of a user from a communication terminal and computing a guide route of an optimum sidewalk to a disability condition of the user” renders the claim indefinite. (Final Office Action, page 2). Applicants respectfully submit that amended claim 5 fully addresses this rejection. Specifically, the first step of the method of amended claim 5 involves inputting physical disability information and a destination of a user who requires support for self-sustained moving. (See amended claim 5). The second step involves computing, based on the physical disability information input in step 1, a guide route of an optimum sidewalk to a disability condition of the user according to the physical disability information and barrier information. (See amended claim 5).

Accordingly, Applicants respectfully submit that amended claim 5 is not indefinite and respectfully request that the rejection of amended claim 5 under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,470,233 to Fruchterman et al. in view of U.S. Patent No. 6,636,802 to Nakano et al. A claim rejection under § 103 is improper unless the prior art references, alone or in combination, teach or suggest each and every claim recitation.

Applicants' amended claim 5 recites a method of supporting a self-sustained moving comprising the steps of inputting physical disability information on and a destination of a user, who requires supporting the self-sustained moving, from a communication terminal, computing, based on the physical disability information inputted from the communication terminal and sidewalk data stored in a database, which correlates to the physical disability information, and includes barrier and barrier-free information, a guide route of an optimum sidewalk to a disability condition of the user according to the physical disability information and the barrier information, combining the computed guide route with a map data stored in the database to output it as an electronic map, the map data being constructed for a pedestrian, and displaying the electronic map showing the guide route on the communication terminal, wherein the step of computing the guide route includes preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information to that of the user.

Neither Fruchterman nor Nakano, nor the combination thereof, teaches or suggests each and every recitation of amended claim 5. For instance, Fruchterman does not teach or suggest a method of supporting self-sustained moving comprising the step of inputting physical disability information on a user from a communication terminal. Rather, Fruchterman is concerned with a geopositioning system for the visually handicapped (Fruchterman, col. 6, lines 33-34) and does not teach anything with regard to inputting physical disability information of a user, including information on visual disabilities. In fact, the citations to Fruchterman provided by the Examiner in support of this rejection do not teach or suggest anything with regard to inputting physical disability information. Rather, the citations provided by the Examiner only indicate that Fruchterman is concerned with a GPS system for the visually impaired and that

the Fruchterman system provides output designed for the blind. (See Fruchterman, col. 3, lines 15-17 and lines 26-32). Merely teaching a device with output designed for a specific disability does not teach or suggest the step of inputting physical disability information. Rather, the step of inputting physical disability information provides for a device having output designed for persons with various disabilities and aged persons (Specification, paragraph [0002]), which the Fruchterman device fails to teach.

Fruchterman also does not teach or suggest the step of computing a guide route of an optimum sidewalk to a disability condition of the user according to the physical disability information and the barrier information. Since, as discussed above, Fruchterman fails to teach the step of inputting physical disability information, Fruchterman certainly does not teach the step of computing a guide route based on the inputted physical disability information.

Additionally, Fruchterman does not teach or suggest sidewalk data stored in a database, which correlates to the physical disability information, and includes barrier and barrier-free information. Instead, Fruchterman teaches a user-defined database, into which users can incorporate locations and features of importance. (Fruchterman, col. 3, lines 44-45). Fruchterman's locations and features of importance do not teach sidewalk data that includes barrier and barrier-free information as recited in amended claim 5. Furthermore, there is no teaching in Fruchterman that the user-defined database correlates to physical disability information. Rather, Fruchterman teaches that "[t]he user-defined database can be used, for example, to identify local restaurants or important points of interest." (Fruchterman, col. 8, lines 28-29). Thus, Fruchterman's user-defined database does not teach or suggest sidewalk data, which correlates to the physical disability information, and includes barrier and barrier-free information, as recited in amended claim 5.

Fruchterman also does not teach or suggest a method of supporting self-sustained moving wherein the step of computing the guide route of an optimum sidewalk to a disability condition of the user includes preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information to that of the user. Instead, Fruchterman teaches that a user can "let the Sextant software determine the *shortest* route between the

points.” (Fruchterman, col. 4, lines 48-54; emphasis added). Fruchterman further teaches that a single blind user may store *his or her own* route preferences (see, e.g., Fruchterman, col. 4, lines 16-54). However, Fruchterman does not teach or suggest preferentially computing a guide route of an optimum sidewalk to a disability condition of the user, giving preference to sidewalks *other* blind users have passed, as recited by Applicants’ amended claim 5. Rather, Fruchterman does not even appear to teach or suggest that its system would store, or have access to, information on routes taken by any *other* users having similar physical disability information to that of the user. If anything, Fruchterman teaches away from having access to other users’ information, since Fruchterman teaches that the user-defined database does not intermingle with the basic map database so that updates to the basic map can be made without affecting the user-defined locations and features. (Fruchterman, col. 17, lines 15-18). Therefore, Fruchterman does not teach or suggest each and every recitation of amended claim 5.

Nakano does not overcome the deficiencies of Fruchterman. For instance, Nakano does not add to the teachings of Fruchterman in that Nakano also does not teach or suggest a method of supporting self-sustained moving comprising the step of inputting physical disability information on a user from a communication terminal. Rather, Nakano is concerned with a terminal device, typically a car navigation system, for reading a cartographic file. (Nakano, col. 10, lines 60-61; see also Abstract). Nakano does not teach or suggest anything regarding inputting physical disability information for use with its terminal device.

Nakano also does not overcome the deficiencies of Fruchterman in that Nakano does not teach or suggest the step of computing a guide route of an optimum sidewalk to a disability condition of the user according to the physical disability information and the barrier information. Since, as discussed above, Nakano fails to teach the step of inputting physical disability information, Nakano certainly does not teach the step of computing a guide route based on the inputted physical disability information.

Additionally, Nakano does not add to the teachings of Fruchterman in the Nakano also does not teach or suggest sidewalk data stored in a database, which

correlates to the physical disability information, and includes barrier and barrier-free information. Instead, Nakano teaches a car navigation system. (Nakano, col. 10, line 60). A car navigation system does not teach anything with regard to sidewalk data or a correlation between sidewalk data and physical disability information. Rather, Nakano's cartographic files contain road network data. (Nakano, col. 1, lines 39-40). Thus, Nakano's car navigation system does not teach or suggest sidewalk data stored in a database, which correlates to the physical disability information, and includes barrier and barrier-free information, as recited in amended claim 5.

Nakano also does not overcome the deficiencies of Fruchterman in that Nakano does not teach or suggest a method of supporting self-sustained moving wherein the step of computing the guide route of an optimum sidewalk to a disability condition of the user includes preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information to that of the user. Instead, the section of Nakano that the Examiner cited in the Final Office Action as teaching this recitation is directed to a navigation system having a *read-only* storage media. (Nakano, col. 1, lines 23-30, *emphasis added*). Read-only storage media does not permit user input, and therefore is independent of user information. Thus, cartographic files provided to the users in read-only storage media are, by definition, independent of any user information, including physical disability information. Since users cannot input information into Nakano's read-only media storage, Nakano does not teach or suggest preferentially computing a guide route of an optimum sidewalk to a disability condition of the user, giving preference to sidewalks passed by *other* users having similar physical disabilities, as recited by Applicants' amended claim 5. If anything, with its read-only media storage, Nakano teaches that its system is not capable of storing, or having access to, information on routes taken by any *other* users having similar physical disability information to that of the user. Thus, neither Fruchterman nor Nakano, nor the combination thereof, teaches or suggests each and every recitation of Applicants' amended claim 5.

Claim 6 depends directly from amended claim 5 and includes additional recitations thereto. Accordingly, Applicants respectfully submit that the rejection

of claim 6 is improper for at least the reasons stated above in connection with amended claim 5.

Accordingly, Applicants respectfully submit that the rejection of claims 5 and 6 under 35 U.S.C. § 103(a) as unpatentable over Fruchterman in view of Nakano should be withdrawn and claims 5 and 6 passed to issue.

Regarding the rejection of claims 11-13 under 35 U.S.C. § 103(a) as unpatentable over Fruchterman in view of Nakano and further in view of Kaiho, claims 11-13 depend, directly or indirectly, from amended claim 5 and include additional recitations thereto. As stated above, neither Fruchterman nor Nakano, nor the combination thereof, teaches or suggests each and every recitation of amended claim 5.

Kaiho, which is directed to an electrically driven wheelchair, does not add to the teachings of Fruchterman and Nakano. In fact, Kaiho adds nothing to the discussion of self-sustained moving by computing a guide route and, therefore, cannot teach or suggest preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information to that of the user.

Accordingly, Applicants respectfully submit that the rejection of claims 11-13 under 35 U.S.C. § 103(a) as unpatentable over Fruchterman in view of Nakano in further view of Kaiho is improper for at least the reasons stated above, and should be withdrawn.

As Applicants have traversed each and every rejection raised by the Examiner, Applicants respectfully request that the rejection of claims 5, 6 and 11-13 be withdrawn, and claims 5, 6 and 11-13 be passed to issue.

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Applicants respectfully submit that nothing in the current amendment constitutes new matter.

Applicants believe no fees are due in connection with this Preliminary Amendment. If any fees are deemed necessary, authorization is granted to charge any such fees to Deposit Account No. 13-0235.

Respectfully submitted,

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